



EX PARTE OR LATE FILED

STATE OF MINNESOTA

OFFICE OF THE ATTORNEY GENERAL

MIKE HATCH
ATTORNEY GENERAL

April 1, 1999

525 PARK STREET
SUITE 200
ST. PAUL, MN 55103-2106
TELEPHONE: (651) 297-2040

Magalie Roman Salas
Secretary
Federal Communications Commission
Room 222
445 - 12th Street SW
Washington, D.C. 20024-2101

**Re: CC Docket No. 98-1
Ex Parte Meeting**

Dear Ms. Salas:

On March 30, 1999, Adeel Lari, Minnesota Department of Transportation, William Schnellman, Minnesota Department of Transportation, and Dennis Ahlers, Assistant Attorney General, met with Rick Chesson, Senior Legal Advisor to Commissioner Tristani. The purpose of the meeting was to discuss the petition of the State of Minnesota for a declaratory ruling regarding the effect of Section 253 of the Communication Act on an Agreement between the State of Minnesota and ICS/UCN to install fiber optic facilities on the freeway right of way.

The discussion reviewed the filed position of the State of Minnesota that the Agreement is consistent with the goals of the Act, does not violate Section 253(a) of the Act, and is necessary for the safety of the traveling public and competitively neutral.

A copy of a summary of the State's position and materials distributed at the meeting is attached.

Please contact me if there are any questions.

Very truly yours,

DENNIS D. AHLERS
Assistant Attorney General
Transportation Division
(651) 296-7580

Encl.

cc: Rick Chesson
AG:89111, v. 1

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**Re: CC Docket No. 98-1
Ex Parte Meeting**

Dear Ms. Salas:

On March 30, 1999, Adeel Lari, Minnesota Department of Transportation, William Schnellman, Minnesota Department of Transportation, and Dennis Ahlers, Assistant Attorney General, met with Kyle Dixon, Legal Advisor to Commissioner Powell. The purpose of the meeting was to discuss the petition of the State of Minnesota for a declaratory ruling regarding the effect of Section 253 of the Communication Act on an Agreement between the State of Minnesota and ICS/UCN to install fiber optic facilities on the freeway right of way.

The discussion reviewed the filed position of the State of Minnesota that the Agreement is consistent with the goals of the Act, does not violate Section 253(a) of the Act, and is necessary for the safety of the traveling public and competitively neutral.

A copy of a summary of the State's position and materials distributed at the meeting is attached.

Please contact me if there are any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Dennis D. Ahlers".

DENNIS D. AHLERS
Assistant Attorney General
Transportation Division
(651) 296-7580

Encl.
cc: Kyle Dixon
AG:89111, v. 1

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**Re: CC Docket No. 98-1
Ex Parte Meeting**

Dear Ms. Salas:

On March 29, 1999, Adeel Lari, Minnesota Department of Transportation, William Schnellman, Minnesota Department of Transportation, and Dennis Ahlers, Assistant Attorney General, met with Linda Kinney, Legal Advisor to Commissioner Ness. The purpose of the meeting was to discuss the petition of the State of Minnesota for a declaratory ruling regarding the effect of Section 253 of the Communication Act on an Agreement between the State of Minnesota and ICS/UCN to install fiber optic facilities on the freeway right of way.

The discussion reviewed the filed position of the State of Minnesota that the Agreement is consistent with the goals of the Act, does not violate Section 253(a) of the Act, and is necessary for the safety of the traveling public and competitively neutral.

A copy of a summary of the State's position and materials distributed at the meeting is attached.

Please contact me if there are any questions.

Very truly yours,

DENNIS D. AHLERS
Assistant Attorney General
Transportation Division
(651) 296-7580

Encl.

cc: Linda Kinney
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**Re: CC Docket No. 98-1
Ex Parte Meeting**

Dear Ms. Salas:

On March 30, 1999, Adeel Lari, Minnesota Department of Transportation, William Schnellman, Minnesota Department of Transportation, and Dennis Ahlers, Assistant Attorney General, met with Tom Power, Legal Advisor to Chairman Kennard. The purpose of the meeting was to discuss the petition of the State of Minnesota for a declaratory ruling regarding the effect of Section 253 of the Communication Act on an Agreement between the State of Minnesota and ICS/UCN to install fiber optic facilities on the freeway right of way.

The discussion reviewed the filed position of the State of Minnesota that the Agreement is consistent with the goals of the Act, does not violate Section 253(a) of the Act, and is necessary for the safety of the traveling public and competitively neutral.

A copy of a summary of the State's position and materials distributed at the meeting is attached.

Please contact me if there are any questions.

Very truly yours,

DENNIS D. AHLERS
Assistant Attorney General
Transportation Division
(651) 296-7580

Encl.

cc: Tom Power
AG:89111, v. 1

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Dear Ms. Salas:

On March 30, 1999, Adeel Lari, Minnesota Department of Transportation, William Schnellman, Minnesota Department of Transportation, and Dennis Ahlers, Assistant Attorney General, met with Bob Atkinson, Deputy Bureau Chief, Common Carrier Bureau, Claudia Pabo and David Kirschner. The purpose of the meeting was to discuss the petition of the State of Minnesota for a declaratory ruling regarding the effect of Section 253 of the Communication Act on an Agreement between the State of Minnesota and ICS/UCN to install fiber optic facilities on the freeway right of way.

The discussion reviewed the filed position of the State of Minnesota that the Agreement is consistent with the goals of the Act, does not violate Section 253(a) of the Act, and is necessary for the safety of the traveling public and competitively neutral.

A copy of a summary of the State's position and materials distributed at the meeting is attached.

Please contact me if there are any questions.

Very truly yours,

A handwritten signature in cursive script, reading "Dennis D. Ahlers".

DENNIS D. AHLERS
Assistant Attorney General
Transportation Division
(651) 296-7580

Encl.

cc: Bob Atkinson
Claudia Pabo
David Kirschner

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